

**COUDERT BROTHERS LLP**

ATTORNEYS AT LAW

*150 YEARS OF EXCELLENCE, INNOVATION AND GLOBAL SERVICE*

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**TELECOPIER COVER PAGE**

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CENTRAL FAX CENTER

FEB 09 2004

TO: Office of Petitions, United States Patent and Trademark Office

FAX: 703-872-9306

FROM: J. D. Harriman II, Esq.

DATE: February 9, 2004

SUBJECT: Petition to Correct Inventorship Under 37 CFR 1.48

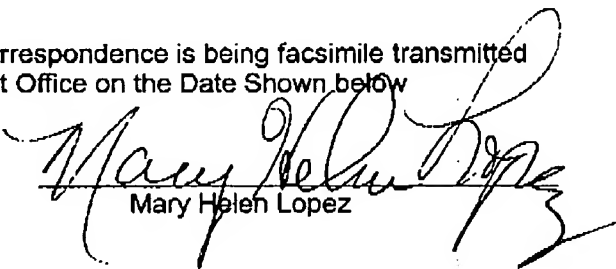
NUMBER OF PAGES TO FOLLOW THIS COVER PAGE: 23

Please see attached for Petition to Correct Inventorship

1. Petition to Correct Inventorship / Authorization to Charge Deposit Account (and copy)
2. Statement by Mr. Guang Yang
3. Revised Declaration signed by Bebabrata Pain, Thomas J. Cunningham, Bruce Hancock, and Suresh Seshadri
4. Revised Declaration signed by Monica Ortiz
5. Revised Declaration signed by Guang Yang

I hereby certify that this correspondence is being facsimile transmitted  
to the United States Patent Office on the Date Shown below

Dated: February 9, 2004

  
Mary Helen Lopez

Client Code: 7975-0025

Operator: 

Time: 11:50

LOSANGELES 117519v1

**OFFICIAL**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Bedabrata Pain, et al.  
Application No. : 10/008,568  
Filed : November 16, 2001  
Title : PHOTODIODE CMOS IMAGER WITH COLUMN-FEEDBACK SOFT-RESET  
FOR IMAGING UNDER ULTRA-LOW ILLUMINATION AND WITH HIGH  
DYNAMIC RANGE  
Prior Examiner : Ngo, Ngan V  
Group Art Unit : 2814  
Reference : 0007975-0025

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48****CERTIFICATE OF MAILING / TRANSMISSION 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted via facsimile or deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, VA 22313-1450 on February 9, 2004

  
Mary Helen Lopez

Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

COUDERT BROTHERS  
333 South Hope Street, Suite 2300  
Los Angeles, California 90071  
(213) 229-2900

Dear Sir:

Applicant hereby petitions the Commissioner to correct the inventorship of U.S. Patent Application No. 10/008,568. The patent application was originally filed in the names of Bedabrata Pain, et al. It was later learned that Guang Yang was inadvertently omitted from the application and should have been listed as a joint inventor along with Bedabrata Pain, et al. Applicant hereby requests that Guang Yang be added as a joint inventor.

Applicant hereby submits:

1. Statement from Mr. Guang Yang, the inventor being added, as required by 37 CFR 1.48(a)(2),
2. An oath or declaration by all the inventors including Mr. Guang Yang, as required by 37 CFR 1.48(a)(3) (attachment 2-4), and
3. Authorization to charge deposit account to cover the fee as required by 37 CFR 1.48(a)(4).

The error in inventorship arose without deceptive intention on the part of the inventors. The error arose because Mr. Yang was inadvertently omitted from the provisional patent application

LOSANGELES 73503v3

Application No. 10/008,568

PATENT

which was prepared by other counsel. Because there is no declaration requirement for provisional patent applications, the inventors were not aware that Mr. Yang was not included. During review of the application, prior to the filing, the inventors were not aware that Mr. Yang was not included on the application. At the time the declarations were executed by the inventors, Mr. Pain, et al. discovered that Mr. Yang had not been included on the non-provisional patent application. The inventors then notified the attorney of record, J.D. Harriman II, that Mr. Yang inadvertently had not been included on the application. An investigation was undertaken by Mr. Harriman, and it was established that Mr. Yang should have been named as a joint inventor on this patent application along with Mr. Pain, et al.

Therefore, Applicant respectfully requests that this petition be granted and that the present invention be corrected so that Mr. Guang Yang is listed as a joint inventor.

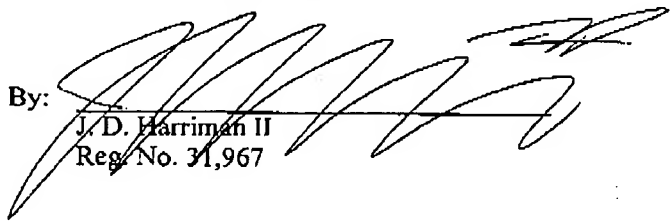
The Commissioner is hereby authorized to charge \$130.00 as required under 37 C.F.R. §1.17(i) for the petition and any other necessary fees except the issue fee to Deposit account No. 50-1215. Please show our above-referenced number with any credit or charge to our Deposit Account. A copy of this letter is enclosed.

Respectfully submitted,

COUDERT BROTHERS

Date: Feb 3, 2004

By:

  
J.D. Harriman II  
Reg. No. 31,967

## **Attachment 1: Statement from Guang Yang**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
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FEB 09 2004

OFFICIAL

In re Application of: )  
Bedabrata Pain, et al. )  
Application No.: 10/008,568 ) Examiner: Ngo, Ngan V.  
Filed: November 16, 2001 ) Group Art Unit: 2814  
For: PHOTODIODE CMOS IMAGER WITH )  
COLUMN-FEEDBACK SOFT-RESET )  
FOR IMAGING UNDER ULTRA-LOW )  
ILLUMINATION AND WITH HIGH- )  
DYNAMIC RANGE ) Our Ref. 0007975-0025

DECLARATION OF GUANG YANG  
IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP  
UNDER 37 C.F.R. §1.48

Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Sir:

1. I, Guang Yang, am an employee of California Institute of Technology.
2. At the time of filing of the present patent application, I was mistakenly omitted as a joint inventor.
3. The error as to inventorship arose because, during the preparation process, Mr. Pain, et al., inadvertently and without deceptive intent omitted me as a joint inventor. The preparing attorney, J. D. Harriman II, was only in contact with Mr. Pain and did not have any

LOSANGELES 73514v3

Application No. 10/008,568

PATENT

contact with me during the oral disclosure. This is because I was transferred to a different work group of California Institute of Technology.

4. Because I had changed work groups at the time Mr. Pain reviewed the present patent application, my participation in the invention was inadvertently overlooked.

5. During the preparation and filing of the present patent application, I was unaware of the fact that I had not been named as a joint inventor in the patent application.

6. The error in inventorship was discovered when I inquired with in-house counsel for California Institute of Technology as to the status of the patent application. It was at this time that I learned that I was inadvertently omitted from the patent application. I then informed counsel for California Institute of Technology of the error in inventorship.

7. I, Guang Yang, should have been included as a joint inventor in the present patent application.

8. The mistake in inventorship was without deceptive intent on the part of myself or California Institute of Technology.

9. I further declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

FEB. 9. 2004. 11:42AM  
From Guang & Jennifer Yang

FAX NO. :908-735-8191

NO. 1951 P. 9  
Feb. 02 2004 10:11PM P5

Application No. 10/008,568

PATENT

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed this 2<sup>nd</sup> day of <sup>February</sup> ~~January~~, 2004, at Annandale, New Jersey ~~California~~.

  
Guang Yang

COUDERT BROTHERS  
333 South Hope St., 23<sup>rd</sup> Floor  
Los Angeles, California 90071  
(213) 229-2900

**Attachment 2:  
Revised Declaration with New Inventive  
Entity signed by Bedabrata Pain, Thomas  
J. Cunningham, Bruce Hancock, and  
Suresh Seshadri**



0007975-0025/CIT-3330

**DECLARATION FOR PATENT APPLICATION**

As below named inventor(s), I/we hereby declare that:

My/Our residence, post office address and citizenship is/are as stated below next to my/our name(s).

I/We believe I/we are the inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PHOTODIODE CMOS IMAGER WITH COLUMN-FEEDBACK SOFT-RESET FOR IMAGING  
UNDER ULTRA-LOW ILLUMINATION AND WITH HIGH DYNAMIC RANGE**

the specification of which (check one)

- ( ) is attached hereto.  
 (X) was filed by an authorized person on my/our behalf on November 16, 2001  
 as Application No. 10/008,568  
 and was amended on \_\_\_\_\_  
 (if applicable)

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I/we have also identified below any foreign application for patent or inventor's certificate on this invention filed by me/us or my/our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
			No

I/We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/249,864	November 16, 2000	Pending
60/311,475	August 10, 2001	Pending

LOSANGELES 66768v3

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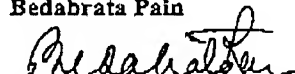
I/We hereby declare that all statements made herein of my/our own knowledge is/are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/We hereby appoint Coudert Brothers LLP, a firm including J.D. Harriman II, Reg. No. 31,967 with full power of substitution and revocation, with the power to appoint associate attorneys and to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS LLP, 333 South Hope Street, Suite 2300, Los Angeles, California 90071, Telephone No. (213) 229-2900, Customer No. 23600.

Full name of inventor:

Bedabrata Pain

Inventor's signature:



Date:

02/02/04

Residence and Post Office Address:

828 N. CRESCENT HEIGHTS BLVD  
LOS ANGELES CA 90046

Citizenship:

INDIA

Full name of inventor:

Thomas J. Cunningham

Inventor's signature:



Date:

2 Feb 2003

Residence and Post Office Address:

350 E Del Mar Blvd  
Apt 211

Pasadena, CA 91101-2753

Citizenship:

0007975-0025/CIT-3330

Full name of inventor:

Bruce Hancock

Inventor's signature:

Bruce R Hancock *Bruce Hancock*

Date:

2/3/04

Residence and Post Office Address:

3555 Canon Bk.

Altadena, CA 91001

Citizenship:

USA

Full name of inventor:

Suresh Seshadri

Inventor's signature:

*SS*

Date:

2/3/04

Residence and Post Office Address:

16402 Redwood Ave

Cerritos, CA 90703

Citizenship:

USA

Full name of inventor:

Monico Ortiz

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Guang Yang

Inventor's signature:

Date:

LOSANGELES 66768v3

3

FEB 9. 2004 11:43AM 0103930040

IMAGER FOCAL TECH

NO. 1951 P. 14005

0007975-0025/CIT-3330

Residence:

Annandale, New Jersey

Post Office Address:

7 High Point Court,  
Annandale, New Jersey 08001

Citizenship:

US

Address for Correspondence:

COUDERT BROTHERS LLP  
333 South Hope Street, Suite 2300  
Los Angeles, California 90071  
(213) 229-2900

LOSANGELES 66768v3

4

**Attachment 3:  
Revised Declaration with New Inventive  
Entity signed by Monico Ortiz**

0007975-0025/CIT-3330

**DECLARATION FOR PATENT APPLICATION**

As below named inventor(s), I/we hereby declare that:

My/Our residence, post office address and citizenship is/are as stated below next to my/our name(s).

I/We believe I/we are the inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PHOTODIODE CMOS IMAGER WITH COLUMN-FEEDBACK SOFT-RESET FOR IMAGING  
UNDER ULTRA-LOW ILLUMINATION AND WITH HIGH DYNAMIC RANGE**

the specification of which (check one)

- ( ) is attached hereto.  
 (X) was filed by an authorized person on my/our behalf on November 16, 2001  
 as Application No. 10/008,568  
 and was amended on \_\_\_\_\_  
 (if applicable)

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I/we have also identified below any foreign application for patent or inventor's certificate on this invention filed by me/us or my/our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed (Yes or No)</u>
			No

I/We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/249,864	November 16, 2000	Pending
60/311,475	August 10, 2001	Pending

LOSANGELES 66768v3

0007975-0025/CIT-3330

I/We hereby declare that all statements made herein of my/our own knowledge is/are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/We hereby appoint Coudert Brothers LLP, a firm including J.D. Harriman II, Reg. No. 31,967 with full power of substitution and revocation, with the power to appoint associate attorneys and to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS LLP, 333 South Hope Street, Suite 2300, Los Angeles, California 90071, Telephone No. (213) 229-2900, Customer No. 23600.

Full name of inventor:

**Bedabrata Pain**

Inventor's signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Residence and Post Office Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Citizenship:

\_\_\_\_\_

Full name of inventor:

**Thomas J. Cunningham**

Inventor's signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Residence and Post Office Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Citizenship:

\_\_\_\_\_

0007975-0025/CIT-3330

Full name of inventor:

Bruce Hancock

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Suresh Seshadri

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Monico Ortiz

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Guang Yang

Inventor's signature:

Date:

LOSANGELES 66768v3

3



FEB. 9 2004 11:44AM

NO. 1951 P. 19

0007975-0025/CIT-3330

Residence: Annandale, New Jersey

Post Office Address: 7 High Point Court,  
Annandale, New Jersey 08001

Citizenship: US

Address for Correspondence: COUDERT BROTHERS LLP  
333 South Hope Street, Suite 2300 ..  
Los Angeles, California 90071  
(213) 229-2900

LOSANGELES 66768v3

**Attachment 4:  
Revised Declaration with New Inventive  
Entity signed by Guang Yang**

FEB. 9. 2004 11:44AM

M :Guang & Jennifer Yang

FAX NO. :908-735-8191

NO.1951 P. 21

Feb. 04 2004 12:29AM P1

0007975-0025/CIT-3330

COUDERT BROTHERS LLP

DECLARATION FOR PATENT APPLICATION

DATE: 2/4/2004  
TIME: 9:20

As below named inventor(s), I/we hereby declare that:

My/Our residence, post office address and citizenship is/are as stated below next to my/our name(s).

I/We believe I/we are the inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PHOTODIODE CMOS IMAGER WITH COLUMN-FEEDBACK SOFT-RESET FOR IMAGING  
UNDER ULTRA-LOW ILLUMINATION AND WITH HIGH DYNAMIC RANGE**

the specification of which (check one)

- ( ) is attached hereto.  
(X) was filed by an authorized person on my/our behalf on November 16, 2001  
as Application No. 10/008,568  
and was amended on \_\_\_\_\_  
(if applicable)

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

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I/We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and so identified, and I/we have also identified below any foreign application for patent or inventor's certificate on this invention filed by me/us or my/our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u> (Yes or No)
			No

I/We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/249,864	November 16, 2000	Pending
60/311,475	August 10, 2001	Pending

LOS ANGELES 66768v3

FEB. 9. 2004 11:44AM  
FROM : Guang & Jennifer Yang

FAX NO. : 908-735-8191

NO. 1951 P. 22  
Feb. 04 2004 12:28AM P2

0007975-0025/CIT-3330

I/We hereby declare that all statements made herein of my/our own knowledge is/are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I/We hereby appoint Coudert Brothers LLP, a firm including J.D. Harriman II, Reg. No. 31,967 with full power of substitution and revocation, with the power to appoint associate attorneys and to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to COUDERT BROTHERS LLP, 333 South Hope Street, Suite 2300, Los Angeles, California 90071, Telephone No. (213) 229-2900, Customer No. 23600.

Full name of inventor:

Bedabrata Pain

Inventor's signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Residence and Post Office Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Citizenship:

\_\_\_\_\_

Full name of inventor:

Thomas J. Cunningham

Inventor's signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Residence and Post Office Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Citizenship:

\_\_\_\_\_

FEB. 9. 2004 11:44AM  
FROM : Guang & Jennifer Yang

FAX NO. : 908-735-8191

NO. 1951 P. 23  
Feb. 04 2004 12:29AM P3

0007975-0025/011-3330

Full name of inventor:

Bruce Hancock

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Suresh Seshadri

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Monico Ortiz

Inventor's signature:

Date:

Residence and Post Office Address:

Citizenship:

Full name of inventor:

Guang Yang

Inventor's signature:

Date:

Feb. 4, 2004

LOSANGELES 66768v3

FEB. 9. 2004 11:44AM

NO. 1951 P. 24

FROM :Guang & Jennifer Yang

FAX NO. :908-735-8191

Feb. 04 2004 12:29AM P4

0007975-0025/CTT-3330

Residence:

Annandale, New Jersey

Post Office Address:

7 High Point Court,  
Annadale, New Jersey 08001

Citizenship:

US

Address for Correspondence:

COUDERT BROTHERS LLP  
333 South Hope Street, Suite 2300  
Los Angeles, California 90071  
(213) 229-2900